

Document made available under the Patent Cooperation Treaty (PCT)

International application number: PCT/US05/000436

International filing date: 07 January 2005 (07.01.2005)

Document type: Certified copy of priority document

Document details: Country/Office: US
Number: 60/535,596
Filing date: 10 January 2004 (10.01.2004)

Date of receipt at the International Bureau: 11 February 2005 (11.02.2005)

Remark: Priority document submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b)



World Intellectual Property Organization (WIPO) - Geneva, Switzerland
Organisation Mondiale de la Propriété Intellectuelle (OMPI) - Genève, Suisse

1281385

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

February 04, 2005

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A FILING DATE.

APPLICATION NUMBER: 60/535,596

FILING DATE: *January 10, 2004*

RELATED PCT APPLICATION NUMBER: *PCT/US05/00436*



Certified by

Under Secretary of Commerce
for Intellectual Property
and Director of the United States
Patent and Trademark Office

16569 U.S. PTO
011004

PTO/SB/16 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No. **ER 623344986 US**

INVENTOR(S)					
Given Name (first and middle [if any])		Family Name or Surname		Residence (City and either State or Foreign Country)	
DENISE M.		CHAN		SAN FRANCISCO, CA	
Additional inventors are being named on the _____ separately numbered sheets attached hereto					
TITLE OF THE INVENTION (500 characters max)					
ORNAMENTAL EARWRAP WITH EARPHONE					
Direct all correspondence to: CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number: 					
OR					
<input checked="" type="checkbox"/> Firm or Individual Name		TIM W. WAN, ATTORNEY-AT-LAW			
Address		50 TERESITA BLVD			
Address					
City		SAN FRANCISCO		State	CA
Country		USA		Zip	94127
		Telephone	(510) 587-6071	Fax	
ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification Number of Pages		2		<input type="checkbox"/> CD(s), Number _____	
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets		4		<input checked="" type="checkbox"/> Other (specify) RECEIPT POSTCARD	
<input type="checkbox"/> Application Date Sheet. See 37 CFR 1.76					
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.				FILING FEE Amount (\$)	
<input checked="" type="checkbox"/> A check or money order is enclosed to cover the filing fees.				<div style="border: 1px solid black; padding: 10px; width: 100px; text-align: center;">80.00</div>	
<input type="checkbox"/> The Director is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number: _____					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.					
<input type="checkbox"/> Yes, the name of the U.S. Government agency and the Government contract number are: _____					

15585 U.S. PTO
60/535596

011004

Respectfully submitted,

[Page 1 of 2]

SIGNATURE

Tim W. Wan

Date January 6, 2004

TYPED or PRINTED NAME

TIM W. WAN

REGISTRATION NO. 45,421

(if appropriate)
Docket Number: 2004-1-1

TELEPHONE

(510) 587-6071

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Provisional Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**TITLE: ORNAMENTAL EAR WRAP WITH
EARPHONE**

**CROSS-REFERENCE TO RELATED
APPLICATION**

Not Applicable

FEDERALLY SPONSORED RESEARCH

Not Applicable

SEQUENCE LISTING

Not Applicable

BACKGROUND OF THE INVENTION

1. Field of Invention

This invention relates to ear ornaments, specifically to an ornamental ear wrap with an earphone component that is part of a stereo or cellular phone headset.

2. Description of Prior Art

Traditionally, ornamental ear wraps are worn as fashion accessories such as jewelry. When ear wraps are worn as jewelry, their purpose is to decorate the face and ear. In a different context, functional ear wraps are worn with technology devices such as stereo or cellular phone headsets. An earphone with an in-line microphone makes up a simple headset. Worn with headsets, the purpose of an ear wrap is to provide a structure to position an earphone speaker on the ear. Presently, ear wraps are either ornamental or functional, but not both.

U.S. Pat. No. 4,282,721 to Roach (1981) describes an ear ornament that is an alternative to an earring. The ear ornament wraps round the ear but does not take advantage of its placement on the ear to provide a structure for a listening device.

U.S. Pat. No. 5,625,171 to Marshall (1997) describes an interchangeable earpiece for a set of stereo headphones that supports an earphone and its conductor. The earpiece is a rounded piece of rubber that wraps behind the ear. While it is customizable with different colors, the overall appearance of the earpiece remains unembellished.

U.S. Pat. No. 4,803,853 to Hoerkens (1989) describes an ornamental ear insert that resides in the folds of the external ear and covers a hearing aid. It consists of a metal mesh screen with pleats that are similar to the flutes of mussel shells. The pleats are compressed and then inserted where they spread out inside the folds of the external ear.

While it incorporates a functional listening device, the ornamental ear insert is limited in use given that the pleats of its mesh screen must engage the folds of the external ear. It could not possibly

cover an earphone which has an entirely different shape and form than a hearing aid. It could not provide the structural support needed for any sizable listening device that rests outside of the ear canal such as an earphone.

It is unsuitable for wearers who prefer to complement rather than conceal their hearing aids or listening devices. To them, earphones and hearing aids are socially acceptable and need not be hidden, but rather decorated and adorned.

Moreover, the ornamental ear insert is made of metal or metalized plastic. These materials are necessary to allow a resilient expansion of the pleats of the mesh screen. However, rigid materials tightly fitted in the folds of the external ear may be uncomfortable to the sensitive ear.

BRIEF SUMMARY OF THE INVENTION

It is well known that people adorn themselves with jewelry and fashion accessories to decorate their face and ears. Technology devices worn on the ear need to reflect the style and aesthetic needs of the wearer. Accordingly, several objects, features, and advantages of the present invention are:

- (a) To provide an ear wrap that is highly adorned, comfortable to wear and has the functional requirements for capturing and supporting an earphone.
- (b) To provide an attractive ear wrap with earphone that cellular phone users are more likely to wear so as to increase safety when talking on the phone and driving a car.
- (c) To provide a customizable ear wrap that can be worn alone as a fun fashion accessory.

Other objects, features, and advantages of the present invention will become apparent from a further reading of the following summary, description, drawings, and claims.

The invention comprises an ear wrap that incorporates at least one ornamental object such as a flower or other figure and a means for connecting the ornamental ear wrap to an earphone such as a loop. As used herein the term ornamental object is intended to mean an ornamental shape that will decorate a person's ear and face. Thus, the invention will be more than a functional ear wrap with earphone. It will also have a distinct fashion or jewelry element intended for adorning the ear or face.

An ear wrap can be made of a rigid material such as metal or plastic or of a flexible material such as rubber, foam, stuffed leather or fabric, or the like. The ornamental object can be a plurality of figures or shapes generally made of materials such as plastic, rubber, metal, leather,

wood, squeezable foam, and the like. The connection of the ear wrap to the earphone can take the form of a closed or partially formed loop or border, or of appendages that clasp the earphone. The connection should fit the dimensions of a conventional earphone used in stereo or cellular phone headsets.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is an elevational view of an ear wrap that incorporates an earphone and an ornamental body.

FIG. 2 is an exploded view of FIG. 1.

FIG. 3 is a front view in cross-section of the ear wrap in FIG. 1.

FIG. 4 is a side view of an embodiment of the invention.

FIG. 5 is a side view of an alternate embodiment.

FIG. 6 is a side view of the invention on the ear and face.

FIG. 7 is a perspective view of a cellular phone headset.

DETAILED DESCRIPTION OF THE INVENTION

A typical embodiment of the present invention is illustrated in FIGS. 1 and 2. An ear wrap is shown that comprises a curved member 1 which may be made of a rigid material such as metal or plastic or of a flexible material such as rubber, foam, stuffed leather or fabric. As shown in FIG. 4, it may have decorative patterns molded into it such as swirls, stripes, polka dots, or the like. The curved body may have applied decorative components such as rhinestones or embroidery. The curved rod member may be hollow or have decorative grooves or curves. The curved member may follow the shape of the ear as well as zig-zag or spiral.

As shown in FIG. 6, the curved body is shaped proportionally so as to reside comfortably behind the ear. The above ear ornament provides a stable structure which resides on the ear without discomfort. It is held securely until removed easily by rotating forward and pulling out the ear wrap.

The curved body defines the central area of the ear wrap. The curved body curves forward from the central area and is attached to a loop that rests in front of the ear canal. The loop 5 has a C-shaped cross section FIG. 3 and is shaped to fit the lip of an earphone 6 found in a cellular phone headset FIG. 9 which comprises

an earphone 7, conductor 8, in-line microphone 9, and plug 10. Depending on the elasticity of the ear wrap material, the earphone can be snapped into the loop or the loop can be stretched over the earphone.

An elongated curved rod member attached to the middle section of the curved central area defines the post 2 that connects to the receptacle 3 which resides on the ornamental body. As shown in FIG. 5, the receptacle is found attached to many different ornamental bodies for interchangeability.

The ornamental body 4 is shaped as a figure like a flower, butterfly, bubble, antlers, and the like. The ornamental object can be a plurality of figures or shapes generally made of material such as plastic, rubber, metal, leather, wood, squeezable foam, and the like.

The ear wrap with an ornamental body can be worn without the earphone to decorate the face and ear. When the earphone is absent, the loop 5 near the front of the ear canal does not impede sound.

REFERENCE NUMERALS

- | | |
|----|--------------------|
| 1 | ear wrap |
| 2 | post |
| 3 | receptacle |
| 4 | ornamental body |
| 5 | loop |
| 6 | earphone lip |
| 7 | earphone |
| 8 | conductor |
| 9 | in-line microphone |
| 10 | plug |

OPERATION

The earphone lip 6 is snapped into the loop 5 on the ear wrap 1. The post 2 on the ear wrap is inserted into the receptacle 3 on the backside of the ornamental body 4. The earphone is part of a cellular phone headset which consists of an earphone 7, in-line microphone 9, and plug 10 connected by a conductor 8. The plug is inserted into the cellular phone.

Once assembled, the ornamental ear wrap with earphone can be worn on the ear and used for hands-free cellular phone use and stereo headphone use.

FIG. 1

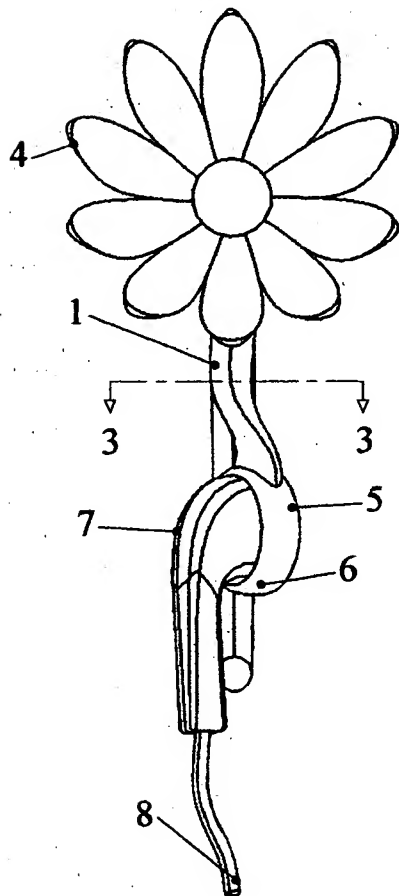


FIG. 2

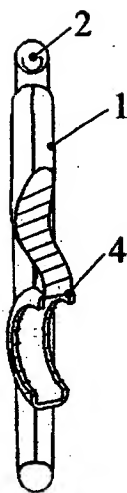
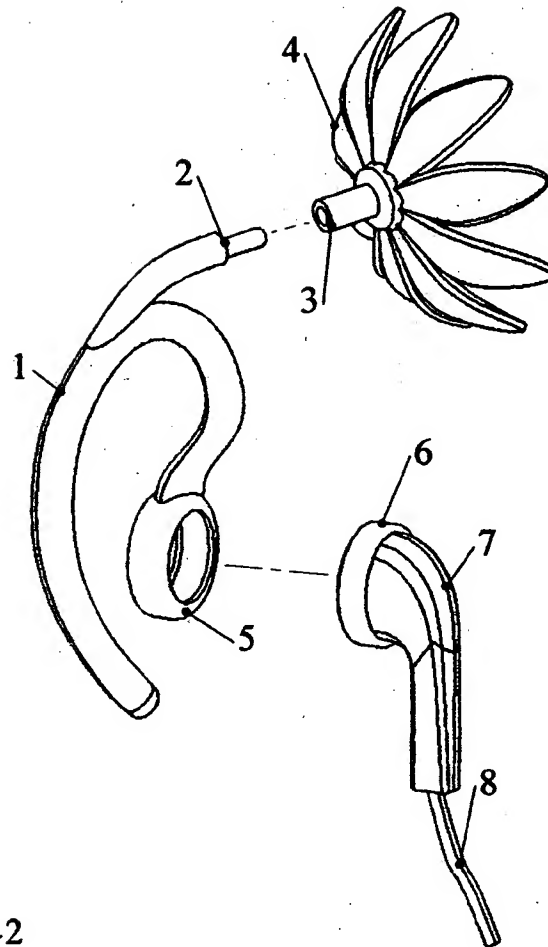


FIG. 3

FIG. 4

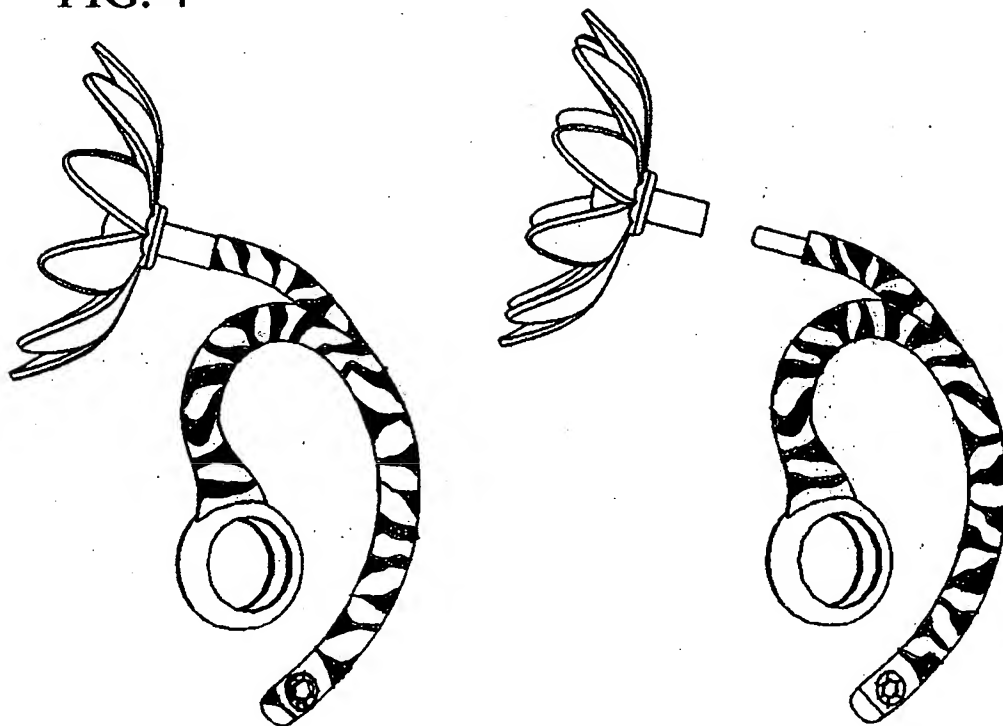
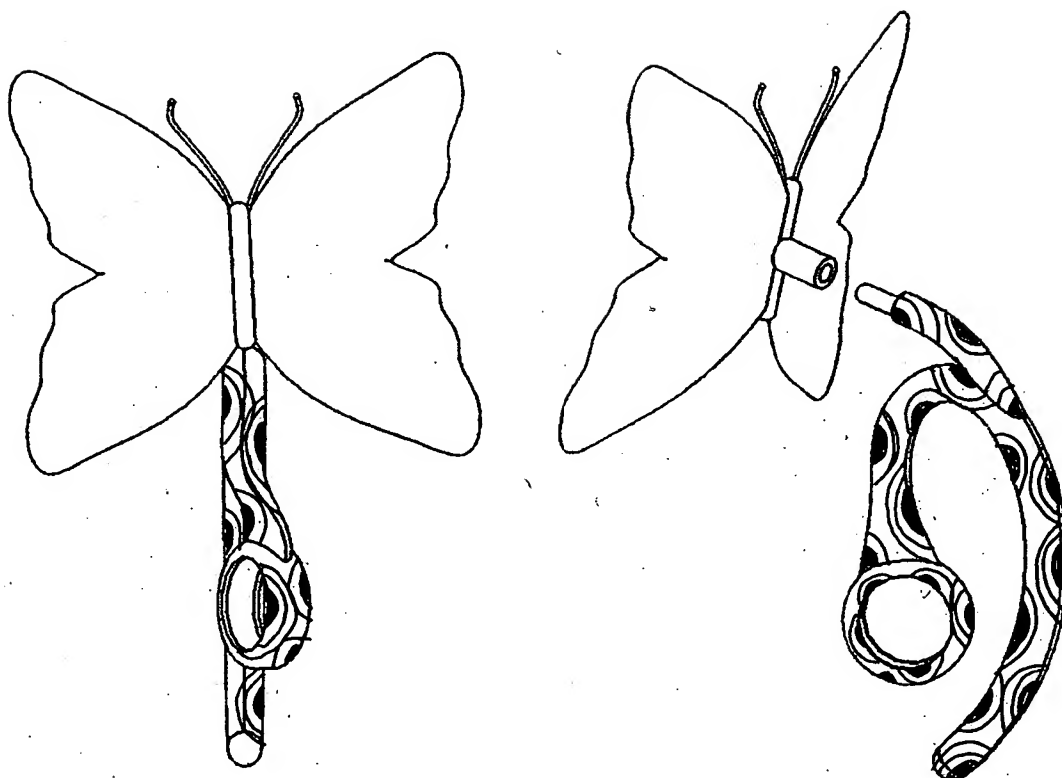


FIG. 5



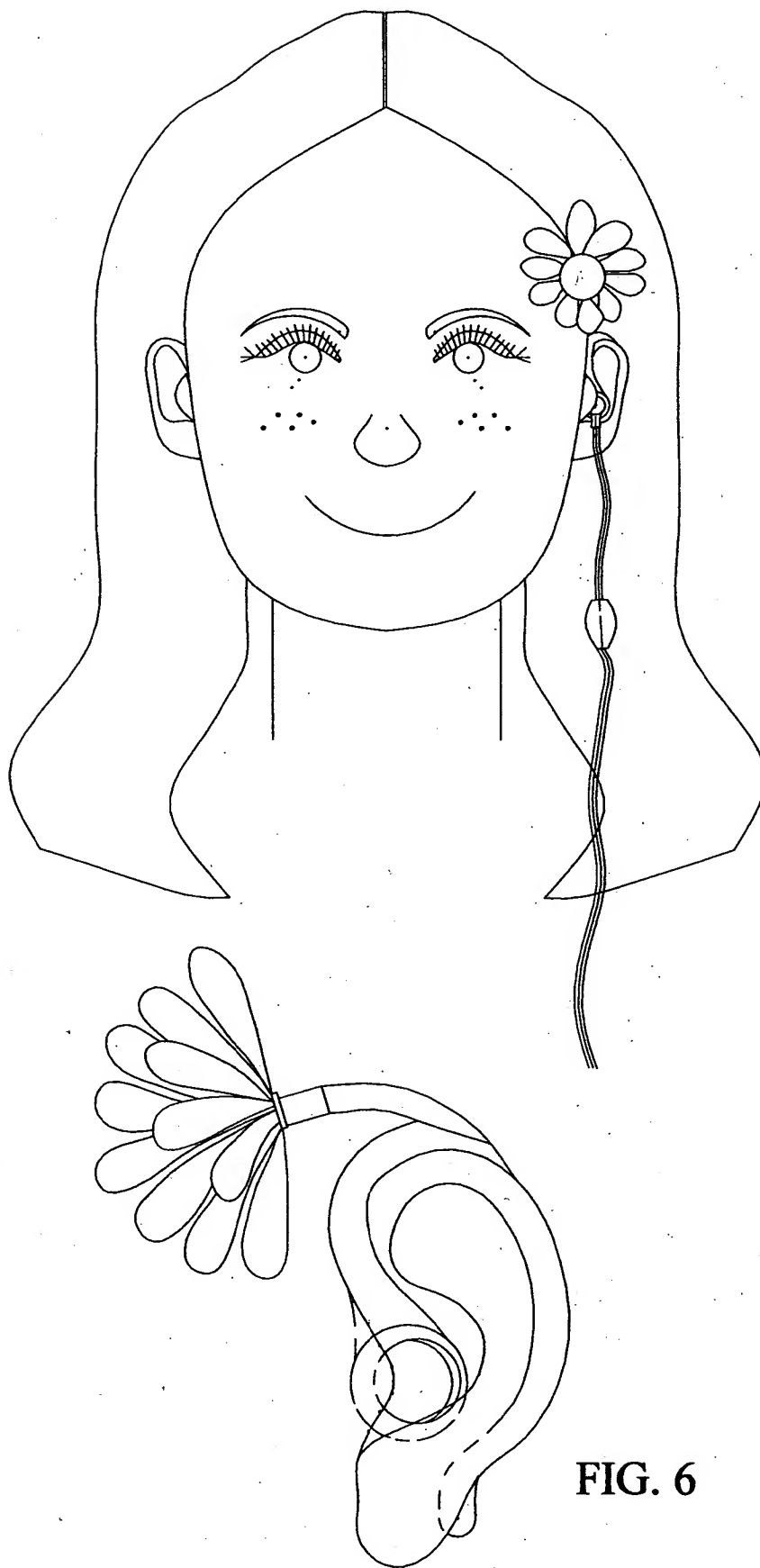


FIG. 6

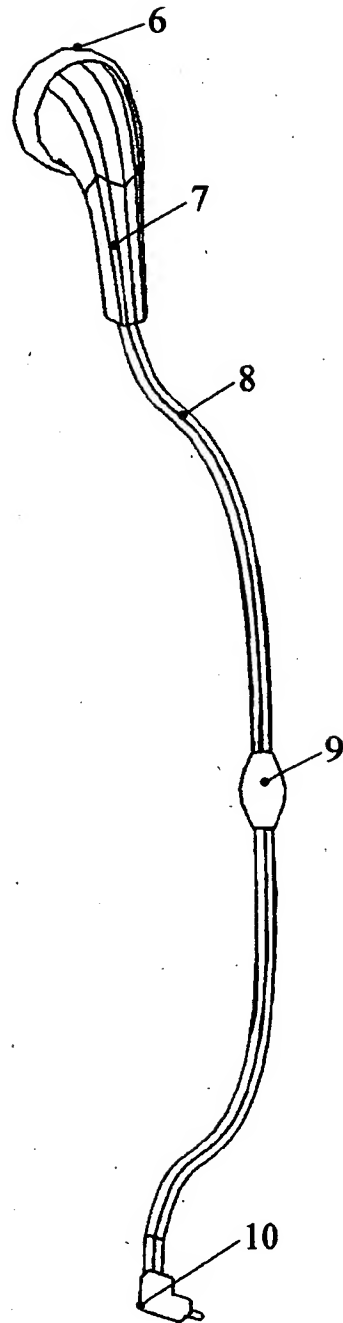


FIG. 7